

MINUTE ORDER

CASE NUMBER: CIVIL NO. 20-00097 LEK-WRP

CASE NAME: Steven D. Davidson vs. Jeremy Slotnick Paige et al.

JUDGE: Leslie E. Kobayashi

DATE: 10/22/2021

COURT ACTION: EO: COURT ORDER DENYING AS MOOT CHOI INTERNATIONAL, INC.'S JOINDER, FILED ON JULY 16, 2021

On March 2, 2020, Plaintiff Steven D. Davidson, as Executor of the Estate of Howard W. DeMoore ("Plaintiff"), filed his Complaint. [Dkt. no. 1.] On May 18, 2021, Defendants Jeremy Slotnick Paige and Vicki Susan Slotnick ("the Paiges") filed their Crossclaim Against Third-Party Defendants Hawaii Life Real Estate Services, LLC, Choi International, Inc., Rhonda Lee Hay, and Cynthia Nash ("Paige Crossclaim"). [Dkt. no. 95.] On June 2, 2021, Defendants/Third-Party Plaintiffs Melissa Jackson and Richard Shuck ("the Shucks") filed their First Amended Third Party Complaint Against Hawaii Life Real Estate Services, LLC, Choi International, Inc., Rhonda Lee Hay, and Cynthia Nash ("Amended Shuck Third-Party Complaint"). [Dkt. no. 102.] On July 16, 2021, Third-Party Defendants Hawaii Life Real Estate Services, LLC ("Hawaii Life"), Rhonda Lee Hay ("Hay"), and Cynthia Nash ("Nash" and collectively "the Hawaii Life Third-Party Defendants") filed their motion to dismiss and/or strike the Paige Crossclaim and the Amended Shuck Third-Party Complaint ("Motion"). [Dkt. no. 123.] Also on July 16, 2021, Third-Party Defendant Choi International, Inc. ("Choi") filed a joinder in the Hawaii Life Third-Party Defendants' Motion ("Joinder"). [Dkt. no. 124.]

On August 11, 2021, the Stipulation for Dismissal Without Prejudice of Choi International, Inc. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and Order was filed. [Dkt. no. 135.] Because Choi has been dismissed from the case, its Joinder is DENIED AS MOOT. Cf. Duke Energy Trading & Mktg., LLC v. Davis, 267 F.3d 1042, 1049 (9th Cir. 2001) ("Once the notice of dismissal has been filed, the district court loses jurisdiction over the dismissed claims and may not address the merits of such claims or issue further orders pertaining to them." (citation omitted)).

The Motion remains under advisement.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager